Virgin Records America, Inc v. Thomas Doc. 273

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
DULUTH DIVISION**

CAPITOL RECORDS, INC., *et al.*,

Plaintiffs,

vs.

JAMMIE THOMAS,

Defendant.

Case No.: 06cv1497-MJD/RLE

STIPULATION OF UNCONTESTED FACTS AND MATTERS NOT IN CONTROVERSY

Pursuant to the Court's Third Amended Date Certain Trial Notice (Doc. No. 256, ¶ 4A), Plaintiffs and Defendant stipulate that the following facts are uncontested, are matters not in controversy, and require no proof:

1. Plaintiffs placed copyright notices on each of the compact disc containers and on the surface of each of the compact discs containing the 24 sound recordings listed on Amended Exhibit A (Plaintiffs' Trial Exhibit 1) and Amended Schedule 1 (Plaintiffs' Trial Exhibit 2) as provided in section 402 of the Copyright Act.

2. Defendant subscribed to the Internet service provided by Charter Communications, Inc., which was the Internet Service Provider, that connected Defendant's Computer to the Internet on February 21, 2005.

3. On February 21, 2005 at approximately 11:09 p.m. EST, the MAC address for Defendant's modem which connected her computer to the Internet was 00028ACF5590.

Dockets.Justia.com

Respectfully submitted this 1st day of June 2009.

/s/ Timothy M. Reynolds

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